IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
APPEAL NO.221 OF 2006
IN
COMPANY APPLICATION NO.180 OF 2006
IN
COMPANY PETITION NO.550 OF 2003

EMCO Ltd. .. Appellant

V/s

Rama Shree Conductors Ltd. .. Respondent

Mr.Pramad Patil for the Appellant.
Mr.R.S.Tripathi for the Respondent.

CORAM : DR.S.RADHAKRISHNAN & S.J.VAZIFDAR, JJ.

DATE : 12TH APRIL, 2006.

P.C.:

1. Heard the learned Counsel for the parties. By this appeal, the Appellant is challenging the order dated 10th March, 2006, whereby in Company Application No.867 of 2005, the Learned Single Judge granted liberty to the Appellant to take appropriate proceedings before the Civil Court. The Learned Counsel for the Appellant states that pursuant to the said order, the Appellant has already filed an application in the Civil Judge, Senior Division, Thane.

2. In view thereof, nothing further survives in the above appeal. The same stands dismissed. However, it is made clear that the Civil Judge, Senior Division, Thane shall decide the said application filed by the Appellant, strictly on its own merits in accordance with law.

(DR.S.RADHAKRISHNAN,J.)

(S.J.VAZIFDAR,J.)